

We all agree improving our system will make America more competitive and give families peace of mind. Let's work together to put the doctor and patient back in control.

RETURNED TARP FUNDS MUST BE USED TO PAY DOWN DEFICIT

(Mr. LANCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANCE. Madam Speaker, last week, the U.S. Department of the Treasury announced the repayment of TARP funds from 10 banks totaling \$68.3 billion returned to the TARP program. The TARP repayment news is a promising sign that our beleaguered financial system is beginning to stabilize and taxpayer funds are being returned.

While many of my colleagues and I have called for these repayments to be applied to help pay down the national debt, Treasury Secretary Timothy Geithner has indicated that the returned funds would "free up resources" for future bailout loans.

I respectfully disagree with the Secretary's position that these moneys should be reused in the future. The repaid taxpayer funds should only be used to pay down the ever-growing national debt.

I call on Congress to pass H.R. 2119, legislation I am cosponsoring that would require the Treasury to apply returned TARP funds to debt reduction.

CONGRATULATING ROLANDO M. OCHOA ON RECEIVING HIS DOCTOR OF BUSINESS ADMINISTRATION

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. I rise today to congratulate my friend Rolando Ochoa, vice president and branch manager of the Sunny Isles branch of BankUnited, upon earning a Doctor of Business Administration from Nova Southeastern University in South Florida.

As part of the program, Dr. Ochoa completed a grueling program of at least 68 credit hours in difficult disciplines. Although already greatly respected for his career in the banking industry, Rolando Ochoa has continued to deepen his knowledge of business and the banking industry. His admirable pursuit of excellence in his field will be of great assistance to our South Florida community.

On Saturday, Dr. Ochoa will graduate from Nova Southeastern, having been granted his doctorate. It is my privilege and honor to congratulate you, Dr. Rolando Ochoa, on this great achievement. I know that your dedication to excellence will continue to serve our community well.

□ 1345

PROVIDING FOR CONSIDERATION OF H.R. 2847, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Ms. SLAUGHTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution H. Res. 552 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 552

Resolved, That during further consideration of the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, no further general debate shall be in order. Notwithstanding clause 11 of rule XVIII and House Resolution 544, and except as provided in section 2, no further amendment shall be in order except: (1) amendments numbered 3, 6, 19, 22, 25, 31, 35, 41, 59, 60, 62, 63, 69, 71, 93, 96, 97, 98, 100, 102, 111, 114, and 118 printed in the Congressional Record of June 15, 2009, pursuant to clause 8 of rule XVIII, which may be offered only by the Member who submitted it for printing or a designee, and (2) not to exceed 10 of the following amendments if offered by the ranking minority member of the Committee on Appropriations or his designee: amendments numbered 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 104, 105, 106, 107, and 108 printed in the Congressional Record of June 15, 2009, pursuant to clause 8 of rule XVIII. Each amendment listed in this section shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except that an amendment may be offered only at the appropriate point in the reading. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate. Such amendment may be repeated, but only after consideration of an amendment listed in the first section of this resolution.

SEC. 3. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 1 hour.

Ms. SLAUGHTER. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Florida, Mr. LINCOLN DIAZ-BALART. All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. SLAUGHTER. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 552.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. I yield myself such time as I may consume.

Madam Speaker, H. Res. 552 provides for further consideration of H.R. 2847, the Commerce, Justice and Science Appropriations bill for fiscal year 2010, under a structured rule.

Madam Speaker, I know it's safe to say that this has been a memorable appropriations process for both sides, and we're only getting started on this bumpy ride.

Appropriation bills often generate very emotional responses on all sides, and this year is no different. The process is time-consuming and stressful, and my colleagues on Rules know that we were not meeting well after 1 a.m. this morning simply because we like each other's company.

The rule we rise to consider today came about as a result of concern from the Appropriations Committee that we were unlikely to get an agreement from the minority for a set and reasonable schedule to consider these spending bills.

Without such an agreement, there was a very real fear on our side that the process could have degenerated into a drawn-out battle, jeopardizing our party's commitment to getting each of the 12 appropriations bills completed on time this year.

At all costs, our party wanted to avoid a repeat of a disastrous 2-month stalemate that shut down the government in 1995 and 1996. And while it's sometimes tempting for the party in the minority to blow up the process, as leaders in the House, we're determined to legislate in a way that seeks common ground and makes everybody proud.

Moreover, we have in recent years detected a trend where more and more amendments are given to us each year on appropriations bills, often for no other reason than political gamesmanship or stunts.

There was not a single amendment to this bill in fiscal year 2003, but this year we had 127 amendments filed on the bill as of the Tuesday deadline. That suggested to us that we were in for what potentially could have been a repetitive chain of deleterious and ill-considered amendments, none of which would have allowed us to get any closer to our goal of getting these bills completed and signed into law by the President.

When it became clear this week that the minority was not ready to agree to a clear and firm schedule for finishing the work on the appropriations bills, we decided we had no alternative but to go ahead with a clear and concise plan.

Our proposal sets out a best balancing act between doing the people's business and still giving both parties ample opportunity to shape the bills with amendments and discussion.

Under the schedule, we will set aside a structured rule that provides for no additional amendments, other than the ones previously agreed to by the Rules Committee. Each of those amendments shall be debatable for 10 minutes.

I firmly believe that, given the refusal of the minority to agree to a schedule for getting the work done, this represents a workable compromise that will allow us to vote on the appropriations bills in a timely and efficient way.

More importantly, it allows us to move each of these appropriations bills in the next 6 weeks while, at the same time, making progress on other crucial legislation facing Congress, such as health care, climate change and supporting our troops.

I hope my colleagues on both sides will join me this morning in supporting this rule.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I'd like to thank my friend, the distinguished gentlewoman from New York (Ms. SLAUGHTER) for the time.

And I yield myself such time as I may consume.

Madam Speaker, I sincerely believe the majority will come to regret this decision to close down the deliberative process of the House on appropriations bills.

Yesterday, the House passed an already unorthodox rule that broke the precedent. It was restrictive. And pursuant to that rule, 127 amendments were filed by Members of this House.

After debate on the first Republican amendment, the first one, the majority decided to halt consideration of the legislation, and called an emergency meeting of the Rules Committee, which began at 10:45 p.m. last night.

In response to that first Republican amendment, the majority is now bringing forth this rule that will block consideration of most of the amendments that were made in order under the previous rule proposed by the majority and passed by this House. So all those Members who followed the rule previously passed and filed their amendments by the deadline will be left without the chance to represent the interests of their constituents.

I think this rule is unjust. I think it's unnecessary. I think the majority's making a big mistake.

During yesterday's late-night meeting, the distinguished chairman of the Appropriations Committee cited the large number of amendments that were preprinted pursuant to the previous rule as a reason for shutting down the appropriations process. He went on to cite what he considers to be his obligation to move the appropriations bills on schedule. As a matter of fact, he was kind enough to hand out to the

members of the Rules Committee this copy of a proposed schedule.

I understand his concern. But the reason, precisely, for the high number of amendments that were filed yesterday was because the majority had abandoned the use of the traditional open appropriations rule, and they had required Members to pre-print their amendments, and that forced Members to submit all of the amendments that they conceivably thought they might wish to introduce, to consider, rather, even if they eventually did not plan to offer them.

Under the previous rule, Members were also barred from making germane amendments to their amendments, changes to their amendments, so Members submitted duplicative amendments to cover all possible angles.

Members have an obligation to their constituents to represent them on appropriations bills and to represent the interests of their communities.

Now, yes, even though over 120 amendments were set for debate, the reality, Madam Speaker, is that we never would have considered all of those amendments. Members were hedging their bets. They were submitting duplicative amendments that, in most instances, they didn't plan to actually offer for debate.

Mr. BURTON, for example, came before the Rules Committee last night. We were there till almost 2 in the morning, and he testified that he had submitted a number of amendments, but he only was going to ask for one of the amendments to be actually debated.

So I ask, Madam Speaker, if the majority really believed that the minority was using dilatory tactics, why did they stop debate after the first minority amendment and call for an emergency Rules meeting?

They should have followed the advice of my colleague on the Rules Committee, Mr. PERLMUTTER, and allowed debate to continue last night and proceeded to work through the amendments. Instead, after one minority amendment, they halted the floor process so that the Rules Committee could meet late last night.

Now, by the time the meeting was over at almost 2 a.m., the House could have actually considered already a number of the amendments, and most likely could have agreed by unanimous consent, which is the tradition on appropriations bills, to limit time on remaining amendments and the debate time.

If, after debating for a reasonable amount of time, the majority sincerely came, then, to the conclusion that the minority was using dilatory tactics, the majority then could have called the Rules Committee to seek a structured rule.

□ 1400

Instead, the majority gave up after just one minority amendment and immediately decided to use the heavy

hand of the Rules Committee to close down the deliberative process. So I wonder if they really had any intention at all to follow through on their initial call for Members to be allowed to offer amendments that were preprinted in the CONGRESSIONAL RECORD.

Now, under the rule that we're considering at this time, only 22 specific amendments chosen by the majority are made in order. The rule also calls for the Appropriations ranking minority member to decide which 10 additional earmark-related amendments will be considered. So the majority is bucking the decision to the minority on which of their amendments they will block.

The minority must now have to silence our own Members even though it was not our decision to limit amendments. I think that really is unfortunate by the majority. If the majority wants to block amendments, they should have the courage to say whose amendments they wish to block.

So, Madam Speaker, I think, today, we're witnessing a sad page in the history of this body. I think we're witnessing a day that, without doubt, will come to be regretted by the majority.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. I want to express my appreciation to Chairwoman SLAUGHTER for yielding me this time.

Madam Speaker, I would like to commend Chairman MOLLOHAN for doing an outstanding job with this year's Commerce, Justice, and Science bill, and I intend to vote for it and to support it enthusiastically. I know that he had to make some hard choices, and I am pleased that he was able to fund nearly all of the administration's requests, in particular, for the National Science Foundation.

However, a provision in the report concerning materials research has just been brought to my attention, and I am hopeful that, as this bill moves to conference, we might be able to address this language.

The basic research and fundamental science funded by the National Science Foundation are vitally important to the future of our Nation. However, there is language in the report eliminating the President's proposed increase in the NSF's Materials Research budget "in light of similar investments in basic energy sciences," allegedly, at the Department of Energy.

It is my understanding that this may not be the case. The National Science Foundation's Division of Materials Research funds research on the fundamental behavior of matter and materials that lead to the creation of new materials and new technologies. In addition, Materials Research supports instruments and facilities, including the Cornell Electron Storage Ring and the Cornell High Energy Synchrotron Source, located in New York. They are crucial, both of them, for advancing this scientific field.

Until this year, the Cornell facilities had been funded by the NSF's Division of Physics. They are currently transitioning to the Division of Materials Research, which may have caused some confusion. The President asked for an increase to support research and development at these Cornell facilities. The Department of Energy does not have a facility comparable to Cornell's, and as far as we know, the work done at Cornell is the most advanced in the world.

I would be happy to discuss this further, and I hope that we can work together to clarify the report language on the NSF Materials Research budget so that it will not affect the work of these important facilities.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Madam Speaker, Federal spending is out of control, and I rise in strong opposition to this rule.

Here are the facts: We are running a \$2 trillion Federal deficit. The second tranche of the TARP funding allowed to be spent another \$350 billion. The stimulus bill passed earlier this year is over \$1 trillion, including the cost of the debt. An omnibus bill of \$400 billion and a budget passed by this administration and this Congress will double the national debt in 5 years and will triple it in 10.

Now comes the first spending bill to the floor for Commerce-Justice-Science with an 11.7 percent increase in Federal spending. Republicans offered about 100 amendments which were designed to cut Federal spending and to restore fiscal discipline to this very first bill.

After 30 minutes of debate on the first amendment that was offered, the majority cut off debate. The Democrats in this Congress apparently believe the Republican amendments to cut runaway Federal spending would take too much time. Apparently, the majority can't spend our money fast enough. The truth is this was an outrageous abuse of the legislative process, but this debate is not about process. This debate is about runaway Federal spending, and the American people have had enough of it.

Republicans in Congress believe that Congress has time to get it right. We believe this Congress should take the time necessary to debate and to restore fiscal discipline to our Federal budget. Today, beginning at this very hour, we will stand up for the American people, for their right to have a budget that reflects the same discipline and sacrifice that every American family and that every small business are making during these difficult times.

I urge my colleagues to oppose this rule and to take a stand against runaway Federal spending—beginning here, beginning now.

Ms. SLAUGHTER. Madam Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the distinguished chairwoman of the Rules Committee.

Madam Speaker, I rise to support the underlying rule and to indicate that we are in some very challenging times.

It is important that the National Science Foundation has been funded. In particular, the Second Chance bill, which I worked on with a number of my colleagues, has been added to provide for the rehabilitation and for the opportunity for work for numbers of those who are ex offenders. I raised some challenges.

I had intended to offer and to respond to the shortage of the NASA funding in this bill short of the President's mark; but as we have had deliberations, we have realized that the Augustine report is coming forward.

I wanted to include \$400 million that, I think, would have been appropriately deducted to provide for human space exploration, because we built the international space station—that was our genius—and we did it with our collaborators and with our allies. That entity will provide the next generation of research. The only way to engage the international space station is to be able to have the CEV vehicle and to continue human space exploration; but the resolve in the report language specifically notes that this does not disallow the addition of those dollars as we make our way through this legislation and to the conference committee.

The Augustine report will come forward, and I hope that will not be a challenge, for it will be, in essence, an abandonment of a future that helps to employ people and to create jobs. We know that 11 million visitors have gone through Johnson Space Center alone, in Houston, Texas. As a 12-year former member of the Science Committee, having worked on safety issues dealing with the international space station, I know the value of human spaceflight and of that space station.

I also would have added language to restore the President's authority to close Guantanamo Bay. I know that we are looking at that in a way that some agree with and that some don't. I believe the language that prohibits that is language that, hopefully, we will consider as we make it through and that the President provides all of the information that Congress wants them to have.

Then I want to at least place in the RECORD the interests of continuing to work with our juveniles who are engaged in violent juvenile crimes. We have seen the loss of life in many of our major cities, and I had an amendment that would have provided for \$20 million from the Federal Bureau of Prisons' construction programs, re-directing those funds to youth mentoring and to delinquency programs, recognizing that violent crimes by juveniles largely take place right after

the end of the school day between the hours of 3 p.m. and 4 p.m. Further, it costs an average of \$7,136 to educate a pupil in public schools while the cost of incarcerating a juvenile, in Texas alone, is a whopping \$56,000.

In Texas, we are reaching a point where we have more use for the criminal justice system than we have for our education system. As we move forward, I ask my colleagues to think of these issues.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Washington (Mr. HASTINGS).

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, last evening, I was patiently waiting here on the House floor to offer an amendment to the Commerce-Justice-Science spending bill. The Democratic leadership suddenly moved to shut down debate and to cut off our ability to represent our constituents and to offer ideas to improve this legislation.

At 8 p.m. last night, the rules of the House allowed me to offer my amendment, but this morning, under the re-writing of the rules, I am blocked from doing so. I deeply regret this unfairness and this hostility in letting Representatives—Members of Congress—come to the House floor for just 5 minutes and offer amendments to a bill that spends \$64 billion.

The amendment that I am blocked from offering, frankly, is very simple. It would restore the Pacific Coastal Salmon Recovery Fund that has received strong bipartisan support for years and is an existing program but which this bill has explicitly eliminated. The Pacific Coastal Salmon Recovery Fund is a successful grants-to-States program used to help recover and to conserve endangered, threatened, at-risk, and important tribal salmon runs on the Pacific coast.

In April, President Obama proposed in his budget to eliminate this fund and to transfer the funds to another fund. From the Northwest, the reaction was bipartisan and very swift. The success of this long-standing program was so compelling that the Obama administration reversed its course, to their credit, and sent a letter to Congress, seeking to restore the funds to this recovery plan. My amendment, which I am now blocked from offering on this floor, would simply adopt the Obama administration's position.

So, Mr. Speaker, I regret this unprecedented rule restricting House debate, and this successful endangered salmon recovery program will suffer for it. The House action to eliminate this plan, frankly, will make it much more difficult for the Senate to deal with in the other body.

This amendment is very simple. It would restore the Pacific Coastal Salmon Recovery Fund that is eliminated in the bill and Committee report.

The Recovery Fund is a long-standing, successful grants-to-states program used to help recover and conserve endangered, threatened, at-risk and important tribal salmon runs on the Pacific Coast, or for the conservation of Pacific coastal salmon and steelhead habitat.

The Fund delivers grants directly to states to be administered.

For years, it has received strong bipartisan support.

However, in April, President Obama submitted in his budget request to Congress, a proposal that eliminated the Pacific Coastal Salmon Recovery Fund, and transferred a reduced amount of funding to a much broader nationwide species recovery grant program.

From the Pacific Northwest, the reaction and opposition to this proposed elimination was swift, bipartisan, loud and clear.

The success of this decade-long grant program was so compelling, and the efforts of the Northwest congressional delegation were so persuasive, that the Obama Administration actually reversed course.

On May 21st, President Obama sent a letter to Speaker PELOSI amending his April submission to specifically request that "\$50 million shall be transferred to 'Pacific Coastal Salmon Recovery'."

Credit is due to the Obama Administration for abandoning their elimination proposal and clearly expressing their support for this program. I thank them and the people of the Pacific Northwest thank them.

Yet, the annual appropriations bill currently before the House proposes to actually follow through with eliminating the Pacific Coastal Salmon Recovery Fund.

As this bill and Committee report are written, the Fund is specifically and explicitly eliminated and money is moved to a vague, broad, nationwide recovery program. Monies in this vague, new program will go to "salmon projects".

Gone is the Fund, its direct grants to states, its requirement of matching funds, its emphasis on endangered salmon and runs important to Northwest tribes.

In its place, this bill provides less money, dilutes it to any project of any sort for salmon anywhere in the country, and lets NOAA rather than states decide how it is spent.

My amendment would restore the Pacific Coastal Salmon Recovery Fund as it has long existed and direct funds to the traditionally funded states.

The text of my amendment copies the language of the 2009 Omnibus Appropriations bill that passed in March of this year. Just three months ago, this House and this Congress approved this same text.

My amendment would keep funding at the same level singled out for "salmon projects" in the bill, \$50 million, but it makes certain the funds are administered through the Pacific Coastal Salmon Recovery Fund, which is the official position and request of the Obama Administration.

To object to this amendment would be to insist on the first Obama budget's vague, diluted salmon funding proposal that has been so loudly, soundly, and rightly rejected.

AMENDMENT TO H.R. 2847, AS REPORTED
OFFERED BY MR. HASTINGS OF WASHINGTON

Page 14, line 3, after the colon insert the following: "Provided further, For necessary expenses associated with the restoration of Pacific salmon populations, \$50,000,000 to re-

main available until September 30, 2010: *Provided further*, That of the funds provided herein the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, California, and Alaska and Federally-recognized tribes of the Columbia River and Pacific Coast for projects necessary for restoration of salmon and steelhead populations that are listed as threatened or endangered, or identified by a State as at-risk to be so-listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds:".

THE WHITE HOUSE,
Washington, DC, May 21, 2009.

Hon. NANCY PELOSI
Speaker of the House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: I ask the Congress to consider the enclosed Fiscal Year 2010 Budget amendments for the Departments of Commerce, Defense, Education, Health and Human Services, Homeland Security, Justice, and State and Other International Programs, as well as the District of Columbia. Also included are amendments to general provisions included in Title VI of the Financial Services and General Government Appropriations Act, 2009. These amendments would not affect the totals in my FY 2010 Budget.

In addition, this transmittal contains an FY 2010 amendment for the Legislative Branch. As a matter of comity and per tradition, this appropriations request for the Legislative Branch is transmitted without change.

The details of these requests are set forth in the enclosed letter from the Director of the Office of Management and Budget.

Sincerely,

BARACK OBAMA.

Enclosure.

Agency: Department of Commerce
Bureau: National Oceanic and Atmospheric Administration
Heading: Operations, Research, and Facilities

FY 2010 Budget Appendix Page: 214-215

FY 2010 Pending Request: \$3,087,537,000

Proposed Amendment: Language

Revised Request: \$3,087,537,000

(In the appropriations language under the above heading, add the following to the first paragraph directly before the ending period:)

: *Provided further, That of the amounts provided herein, \$61,000,000 shall be available for Species Recovery Grants for the conservation and recovery of threatened or endangered marine species, of which \$50,000,000 shall be transferred to "Pacific Coastal Salmon Recovery"*

This amendment would clarify that funding for Pacific salmon recovery is included in the sums made available for the new Species Recovery Grant program. The proposed Budget totals would not be affected by this amendment transferring funds to the "Pacific Coastal Salmon Recovery" account.

Ms. SLAUGHTER. Mr. Speaker, I don't have anymore speakers present on the floor, so I will reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished ranking member of the Appropriations subcommittee (Mr. WOLF).

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, I have a chart showing that this country is pretty much facing bankruptcy. We have \$11 trillion of debt. Traditionally, it has been the practice around here, whether Republican or Democrat, to have open rules whereby Members can offer amendments regarding whatever they see fit.

The American people realize that we're living in trying economic times, and rightfully, they expect their elected officials to evaluate different spending programs to see whether they should be for them or against them. If we cannot even come up with a fair process to debate annual spending bills, there is very little hope. There is very little hope, there is very little hope for this country to deal with this.

There is \$56 trillion of debt. There is \$11 trillion owed to the Chinese and to the Saudis. The bankruptcy system is coming.

We should go back to the Rules Committee and report out the original bill to allow any Member to offer any amendment. Otherwise, what you're going to do to this process—and I've been here for a few years—is radicalize it whereby nobody will feel they have any investment in this bill.

So I urge the defeat of this bill. Send it back. Have an open bill whereby any Member, Republican or Democrat, can offer any amendments they want to. Otherwise, we will never resolve this issue of \$11 trillion, and the next time we come here, it will be \$12 trillion.

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois (Mr. SCHOCK).

Mr. SCHOCK. Mr. Speaker, last night, I offered a simple amendment to study the economic impact of this body's delaying the enactment of the Colombia Free Trade Agreement. While the majority accepted my amendment, it was clear that my amendment would not be included in the final version of the bill. As such, I requested a recorded vote as is my right as a Member of the House of Representatives.

□ 1415

This right was then denied to me by the majority.

This goes directly against what the Speaker said in her "New Direction for America", and I quote: "Every person in America has a right to have his or her voice heard. No Member of Congress should be silenced on the floor."

I had an issue that I thought should be included in the bill, and I have a right to try to amend the bill to include this provision. I followed the majority's requirements, jumped through all of their new hoops to offer this amendment. I followed all of the rules, yet was denied not because of procedure, not because of decorum, and not

even because my amendment lost the vote. Rather, I was denied by the majority because they didn't want their Members to have to take a stand.

Now, I come from the great State of Illinois. I love my State, the Land of Lincoln, the home of Obama. My State is also home to George Ryan, a Governor who is now in prison; Governor Blagojevich, a man who is on his way; and a State that's home to machine-style politics. I see this body headed in the same direction.

What happened here last night was a clear step in the wrong direction. The majority has shut us out of one of the last rights of the minority, the ability to offer amendments to appropriations bills. The majority now has even continued this trend in the rule by disallowing several noncontroversial amendments, a second of which I offered that would have added more funding to the Minority Business Development Agency, an agency which under the current bill will see a funding decrease over what the House Appropriations Committee approved last year.

Mr. Speaker, I ask the majority this: With a 40-seat majority, what do they fear in an open arena in the competition of ideas? What do they fear with letting a good idea stand the test of time, allow a hearing, allow debate, and allow their Members to vote them up or down? With a 40-seat majority, partisan amendments, amendments that really have no substance, would clearly die on a partisan vote. But those amendments that carry value, those amendments that will stand the test of time, and those amendments that are right for the American people, Independents, Republicans, and Democrats alike, will pass this body and should be allowed a vote.

Now, the majority last night argued that we were dilatory. I would argue it was democracy. Twenty minutes on an amendment is hardly dilatory. With 120 amendments the worst-case scenario, Mr. Speaker, would be four 10-hour days.

The SPEAKER pro tempore (Mr. ROSS). The time of the gentleman has expired.

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman an additional 30 seconds.

Mr. SCHOCK. Is four 10-hour days too much to debate \$64 billion of American taxpayer dollars?

We've seen the waste created by the haste of this body, of the happy spending majority that this body has, with the stimulus bill, the overbloomed omnibus bill, and now this bill, which seeks to increase spending by over 12 percent.

I urge a "no" vote on this rule to allow democracy to continue in this body.

Ms. SLAUGHTER. Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. LEE).

Mr. LEE of New York. I thank the gentleman from Florida for yielding.

Mr. Speaker, I rise to strongly oppose this rule. I was here on the floor last night and waiting to offer an amendment to the pending appropriations bill that would give Congress the opportunity to take a step towards restoring fiscal reality in Washington. Unfortunately, the moments before my amendment was to be considered, the House was shut down and, with it, the ability to have sorely needed debate about the need for belt tightening.

Ironically, not long before that, I was holding a telephone town hall meeting with residents throughout western New York, and one of the questions I received was about whether I was disheartened with the process in Washington. And my response was that after 5 months in Congress, I was frustrated mostly with the way in which Washington continues to spend taxpayer dollars freely without any understanding of how the middle class lives in these difficult economic times and how we will ever pay back this exorbitant amount of debt.

My amendment and those offered by my colleagues presented a valuable opportunity to turn back the page on the excessive spending and work on a bipartisan basis to identify ways to make Washington do more with less. These spending bills call for across-the-board increases in already bloated Federal programs while workers and businesses in my district struggle to figure out how they are going to get by on less and, in too many cases, far less than they are used to having. Our constituents who are struggling to make ends meet deserve better.

I urge my colleagues to vote down this rule so we can have a truly open discussion of the shared sacrifices required to put our Nation's fiscal house in order.

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the gentleman for yielding.

Mr. Speaker, you know, watching the attitude and really this spending adventure that the majority has taken on really reminds me of somebody that's paving a highway, and what they have done is they want to completely flatten out any opposition to really runaway Federal spending, just absolutely no restraining influence whatsoever, Mr. Speaker.

So here you have a group of House Republicans who are trying to articulate a sense of restraint. We are hearing from our constituents who are incredibly concerned about the pace of spending. And yet the speed bumps that we offered have been completely flattened out.

I offered an amendment which would have said, look, the Speaker of the

House recently accused people of committing a Federal crime, a crime that is punishable, if true, by 5 years in prison. The amendment that I offered that met the previously articulated preprinting requirement would have said we're going to allocate money to the Department of Justice to investigate this accusation of a Federal crime. And yet what does the majority do late at night in the wee hours when nobody's watching? Being completely intimidated by an open and robust debate.

This rule is really an incredible disappointment. I think it's an incredible insult, frankly, to the American public that wants to talk about spending and is weary of the attitude that has come through from the majority.

We know what we need to do. We need to stand up for the American taxpayer, stand up for our children, stand up for our grandchildren, who are being saddled with a legacy of debt, and vote against this rule.

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, at this time I yield 1 minute to the distinguished Republican leader, Mr. BOEHNER.

Mr. BOEHNER. Let me thank my colleague for yielding and remind my colleagues that the Constitution provides that the Congress of the United States shall determine spending. The Constitution of the United States also empowers our citizens to send their elected representative to Washington to represent them, and collectively we represent the American people.

If you think about where we've been this year, we had the nearly trillion dollar stimulus plan, when you look at the interest that's going to be paid on it. We had the over \$400 billion omnibus appropriation bill that had 9,000 earmarks in it. We had a budget that came through here that has trillion dollar deficits for as far as the eye can see. We bailed out Wall Street. We've bailed out the auto companies. And we're spending money and racking up debt at record levels.

So here we are. We are starting the annual appropriations process, 12 appropriation bills that will spend nearly \$1.5 trillion that we do not have, \$1.5 trillion that we're going to have to go borrow from the American people and further imprison our kids and grandkids.

And you would think that as we are debating the spending of this \$1.5 trillion that the majority would do as it has done for most of our history and allow for an open debate, allow for a process that protects the franchise of each Member of this body. But, no, we couldn't do that.

There were conversations over the last couple of weeks about how to limit this process, and I made it clear to the majority leader and to the chairman of the Appropriations Committee that I wasn't going to agree to limit the ability of Members to participate in this

process as we try to control spending in this body. I made it very clear to Mr. OBEY and to Mr. HOYER that we would work with them in an open process to facilitate it, to try to maximize the number of bills that could be finished before the August recess. But apparently that wasn't good enough. So we came up with this convoluted process where we were going to require Members to preprint their amendments. And all that did was to drive up the number of amendments, most of which probably were never going to be offered.

But the real point here is that there is a serious issue about how much spending and how much debt is piling up on the backs of the American people. Members on both sides of the aisle want to have a real debate about how much spending is enough and, if we are going to spend, what is the appropriate way to spend.

You know, the American people sent us here and they gave us the world's most expensive credit card. I would also describe it as the most dangerous credit card in the history of the world. It's a voting card for a Member of Congress. And our constituents expect us to use this responsibly on their behalf. And I can tell you that most of my colleagues on this side of the aisle believe that the majority is using this card recklessly to build up deficits and to build up debt to record levels. The amount of debt and the amount of spending is going to imprison our kids and our grandkids, and all we want to do is to have an opportunity to debate just how much spending is enough. That's what we're asking for. But to deny us our rights protected under the Constitution denies the American people their chance to say how much spending is enough.

I would ask my colleagues on both sides of the aisle, let's do the right thing. Let's defeat this resolution that's in front of us that will restrict the rights of all Members, and if we can defeat this resolution, we can go to a process that can work in a bipartisan way to address the needs of Members on both sides of the aisle, and we can do it in a bipartisan way. Vote "no."

Ms. SLAUGHTER. Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. GOODLATTE).

(Mr. GOODLATTE asked and was given permission to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, it's not surprising to me that the chairman of the Rules Committee continues to reserve her time and that there are few Democrats who have come down to the floor to defend this terrible rule or this embarrassing bill that the rule brings to the floor.

It's a disgrace what happened last night. After only a few minutes of debate, legitimate debate on legitimate amendments, the majority moves to

rise, goes back to the Rules Committee, and writes a rule that slams down more than 80 Republican amendments, a number of Democratic amendments too, but far more Republican amendments, without any consideration whatsoever. We have heard from some of those speakers here just in the last few minutes, people who had good, sound amendments to offer.

But I would like to talk about the overall bill. That's my concern. This bill spends \$64.31 billion, an 11.7 percent increase. Now, where is that money coming from? Every penny of that increase is going to be borrowed. In fact, the budget that the Democrats adopted for this coming year that this appropriations bill is a part of spends \$1.2 trillion more than is coming in in revenues; \$3.6 trillion in expenditures, \$2.4 trillion in revenues coming in—a \$1.2 trillion deficit in 1 year.

Until this year we have never had a single year in our Nation's history where we have had more than a \$500 billion deficit, and \$500 billion is a staggering amount of money. And yet the budget they just adopted for the next 10 years, every single year it exceeds \$550 billion, rising until at the end of the 10 years about \$700 billion. Year after year after year, doubling our national debt and putting our country in great jeopardy.

□ 1430

People don't even know what \$1 trillion is.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. I urge my colleagues to reject this rule and bring back the bill so that we can adjust and cut spending.

Ms. SLAUGHTER. I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Speaker, I can't tell you how disappointed I am with the majority for not allowing a fair and free debate on some very important issues. Obviously this bill spends too much money. It has earmarks that have never been vetted. But we brought other issues of equal importance, things that the American people deserve to hear. I had an amendment. It says we need to stop Mirandizing terrorists in foreign countries, Afghanistan, for attacking our troops and being detained. Miranda rights—You have the right to remain silent. You have a right to a lawyer. It's happening now. And the worst part of this is that even the majority wasn't briefed or, if they were, they're not talking about it. We have one opportunity to stand up today and say, Enough. You can't criminalize the battlefield.

We have FBI agents who, after our soldiers picked them up and after trying to kill members of the 82d Airborne or the 101st or our Marines, take them

to the detention facility, and they read them their rights. They're non-United States citizens. They're foreigners. We just wanted the opportunity to tell America, We think that's crazy. You're going to tell a terrorist who just came off the battlefield that you have the right to remain silent. How much information will they not give that might save the life of one of our soldiers in Afghanistan today? And the biggest travesty today is, you never gave us the opportunity to talk about it, to move the issue forward.

We've had about three different opinions from this administration on if they are or are not doing it. Well, I can tell you—I've been there, and I've seen it. Our soldiers are going to get frustrated. I know our FBI agents are frustrated. Our law enforcement community is frustrated. And the best you can do is say, Debate is inconvenient for us today, and some things are just better left unsaid, like the billions of dollars in this bill that spends too much money, money that we don't have, that we're going to have to borrow from the Chinese or the Russians or the Saudis. Or the fact that we look those soldiers in the eye and say, We can't even have the opportunity to talk about it on the floor of the House.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, I can't say how much I've been amused by the statements that we have heard from our dear friends across the aisle. They know very well what kind of economic circumstances this country is in. They know very well that this administration and this Congress inherited one of the largest national debts in the history of our country from the previous administration and from their 12 years in Congress. And they are, amusingly, fighting to prevent us from trying to overcome the circumstances that they have brought about and that we have to deal with.

Yes, we have to deal with this huge economic problem, and we are dealing with it. We're dealing with it by investing money in the internal needs of this country, by bringing about better systems of education and health care, creating new technologies and new industries and huge numbers of jobs as a result of those investments, all of which they are opposed to.

You have to ask yourself, why would they be opposed to someone else trying to correct the problems that they initiated? Well, I think the answer to that is very clear. They would like to see the efforts to correct these problems stopped over the course of the next couple of years, and they would be then able to say that what we have tried to do was not successful. They wouldn't admit that they stopped it if they were able to do it, but that's exactly what they were trying to do.

They're trying to prevent intelligent economic investment in the internal needs of the American people. They're

trying to stop intelligent internal investments in the economy of our country. They're trying to stop the creation of new jobs. They're trying to stop the upgrading of the quality of the infrastructure of our Nation. They're trying to stop improvements in education. They're trying to stop improvements in health care, all of which they had the responsibility for bringing about over the course of the last 8 years.

So that's the situation that we're dealing with. This particular bill is a very strong investment in the internal needs of America. They want to halt it as much as they can, drag it out as long as possible; and if they were successful with this appropriations bill, then they would try to do the same thing with every single other appropriations bill, the appropriations that the people of America need and need badly as a result of the huge debt that they brought about and what we are trying to overcome. And we will overcome it. We will overcome it in large measure with some of the things that have been done: the economic stimulation bill, which they were opposed to, which is having a very positive effect on the economy in this country; and furthermore, the economic stimulation that will occur in each one of these appropriations bills.

So that is basically the situation that we're dealing with here, and that is why we have to have this rule and this bill, because of the needs of our country and because of the intelligent, reasonable and effective way in which we are addressing those needs.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

Mr. LINCOLN DIAZ-BALART of Florida. I yield 2 minutes to the distinguished gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank the gentleman.

I rise today to oppose H.R. 2847, a bill that could use taxpayer dollars for a purpose the American people are adamantly against, housing Guantanamo detainees in Federal prisons in the United States.

In a May Gallup poll, 65 percent of Americans were opposed to closing Guantanamo. Further, 74 percent of Americans opposed moving them to their own State. This bill leaves open the possibility for the Bureau of Prisons to use taxpayer dollars to house Guantanamo detainees in our communities in direct contradiction to the will of the American people.

The amendment that I wanted to submit, before the Democrats in the Rules Committee issued their gag order, specified that none of the funds appropriated by this act may be used by the Bureau of Prisons to incarcerate

individuals currently held in Guantanamo Bay. Mr. Speaker, these detainees are not convicted criminals repaying their debt to society but rather the most dangerous people on the face of the planet, terrorists who will stop at nothing to kill any and all Americans that they can. We cannot allow taxpayer dollars to be spent bringing these terrorists to live among the civilians they have sworn to destroy. Also, our prisons are already at capacity. In my Colorado district, Supermax Federal prison is at 99.7 percent capacity, leaving room for only one additional inmate, yet there are 226 prisoners now at Guantanamo. Other maximum security facilities in the U.S. are, likewise, operating at 55 percent above capacity.

The fact is, we do not have the capability to house terrorists on our own soil without endangering prison employees and posing a risk to the communities in which they are sent. The President simply does not have a plan. It is unfortunate that my Democratic colleagues do not want to debate this vital issue. I urge my colleagues to defeat this bill.

Ms. SLAUGHTER. I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. MCCAUL).

Mr. MCCAUL. I thank the gentleman. "Every person in America has a right to have his or her voice heard. No Member of Congress should be silenced on the floor." "Bills should generally come to the floor under a procedure that allows open, full and fair debate, consisting of a full amendment process that grants the minority the right offer its alternatives." Speaker PELOSI, A New Direction for America.

This right has been denied. This is not a new direction. It is a wrong direction. My amendment would block taxpayer dollars from being used for monuments to be named after sitting Members of Congress.

I would like to yield the balance of my time to the Chairwoman of the Rules Committee as to whether she agrees that taxpayers dollars can be used to fund Monuments to Me after sitting Members of Congress; and if she does not agree with that, why my amendment was blocked when it has been ruled in order twice before.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, in closing, I will be asking for a "no" vote on the previous question so that we can amend this rule and allow an open rule consistent with tradition and with fairness.

I urge my colleagues to consider what we are about to do and to vote "no" on the previous question so that we can uphold our tradition of allowing free and open debate on appropriations bills.

Mr. Speaker, I believe if not, the majority will come to regret this decision and close down the deliberative process of the House on appropriations bills.

I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. Again, I ask for a "no" vote on the previous question so that we can uphold the tradition of openness on appropriations bills and fairness.

I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I urge a "yes" vote on the previous question and the rule.

Mr. DREIER. Mr. Speaker, whether Members realize it or not, we are at an inflection point in history, maybe not the history that school kids will learn about, but the important history of this institution that supports every aspect of our democracy.

Future Members of the House will look back on this day, and realize that today is when the last bastion of unbridled participation fell to the demands of a cynical and tyrannical majority.

There are certain points in the House's history that Member's know by name or reference. Events such as Cannon's revolt where 100 years ago a group of progressive, bull-moose Republicans, joined with Democrats to say enough is enough, to Speaker Joe Cannon. The famous Civil Rights revolt during the Johnson Administration, where obstructionist Southern Democrats on the Rules Committee were supplanted in order to advance civil rights.

The question is, will this be one of those days where where historians will say, "This is where democracy prevailed against tyranny," or will we take the easy road of limiting participation to a privileged few?

Mr. Speaker, I have a message for my colleagues: each of us must think very carefully about this vote, because once we go down this road, we aren't coming back.

That means if you're DENNIS KUCINICH, and you believe that your country is fighting an unjust war, you're going to be silenced in the months and years to come.

If you're JEFF FLAKE, and you are fighting every day against what you see as corruption and wanton spending, you are going to be gagged going forward.

If you're DEVIN NUNES, and you're fighting to make sure your farmers have water to grow crops, you are out of luck.

If you're MARCY KAPTUR, and you're promoting the interests of labor unions, get ready for a long winter.

I don't agree with most of those Members, but for this institution to work, they need to have a voice. This rule deprives them—and their constituents—of that voice.

This rule concentrates power in the hands of DAVID OBEY and NANCY PELOSI. They get to decide who offers what and when. And my colleagues better hope that they never disagree with the majority leadership, or they will find themselves relegated to the sidelines, just as we do with this rule.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 552 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

Strike all after the Resolving clause and insert the following:

"That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes. No further general debate shall be in order, and remaining proceedings under House Resolution 544 shall be considered as supplanted by this resolution. The bill shall continue to be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XM are waived. During consideration of the bill for amendment, the Chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the

Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. SLAUGHTER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 238, nays 180, not voting 15, as follows:

[Roll No. 351]

YEAS—238

Abercrombie	Cleaver	Fattah
Ackerman	Clyburn	Filner
Altmire	Cohen	Foster
Andrews	Connolly (VA)	Frank (MA)
Baca	Conyers	Fudge
Baird	Cooper	Giffords
Baldwin	Costa	Gonzalez
Barrow	Costello	Gordon (TN)
Bean	Courtney	Grayson
Becerra	Crowley	Green, Al
Berkley	Cuellar	Green, Gene
Berman	Cummings	Griffith
Berry	Dahlkemper	Grijalva
Bishop (GA)	Davis (AL)	Gutierrez
Bishop (NY)	Davis (CA)	Hall (NY)
Blumenauer	Davis (IL)	Halvorson
Bocchieri	Davis (TN)	Hare
Boren	DeFazio	Hastings (FL)
Boswell	DeGette	Heinrich
Boucher	Delahunt	Herseth Sandlin
Boyd	DeLauro	Higgins
Brady (PA)	Dicks	Himes
Brady (IA)	Dingell	Hinchey
Brown, Corrine	Doggett	Hinojosa
Butterfield	Donnelly (IN)	Hirono
Capps	Doyle	Hodes
Capuano	Driehaus	Holden
Cardoza	Edwards (MD)	Holt
Carnahan	Edwards (TX)	Honda
Carney	Ellison	Hoyer
Carson (IN)	Ellsworth	Inslee
Castor (FL)	Engel	Israel
Chandler	Eshoo	Jackson (IL)
Clarke	Etheridge	Jackson-Lee
Clay	Farr	(TX)

Johnson (GA)	Murphy (CT)	Scott (VA)
Johnson, E. B.	Murphy (NY)	Serrano
Kagen	Murphy, Patrick	Sestak
Kanjorski	Murtha	Shea-Porter
Kaptur	Nadler (NY)	Sherman
Kildee	Napolitano	Sires
Kilpatrick (MI)	Neal (MA)	Skelton
Kilroy	Nye	Slaughter
Kind	Oberstar	Smith (WA)
Kirkpatrick (AZ)	Obey	Snyder
Kissell	Oliver	Space
Klein (FL)	Ortiz	Speier
Kucinich	Pallone	Spratt
Larsen (WA)	Pascarell	Stark
Lee (CA)	Pastor (AZ)	Stupak
Levin	Payne	Sutton
Lipinski	Perlmutter	Tanner
Loebach	Peters	Tauscher
Lofgren, Zoe	Peterson	Taylor
Lowe	Pingree (ME)	Teague
Lujan	Polis (CO)	Thompson (CA)
Lynch	Pomeroy	Thompson (MS)
Maffei	Price (NC)	Tierney
Maloney	Quigley	Titus
Markey (CO)	Rahall	Tonko
Markey (MA)	Rangel	Towns
Marshall	Reyes	Tsongas
Massa	Richardson	Van Hollen
Matsui	Rodriguez	Velázquez
McCarthy (NY)	Ross	Visclosky
McCollum	Rothman (NJ)	Walz
McDermott	Roybal-Allard	Wasserman
McGovern	Ruppersberger	Schultz
McIntyre	Rush	Waters
McMahon	Ryan (OH)	Watson
McNerney	Salazar	Watt
Meek (FL)	Sánchez, Linda	Waxman
Meeks (NY)	T.	Weiner
Melancon	Sanchez, Loretta	Welch
Michaud	Sarbanes	Wexler
Miller (NC)	Schakowsky	Wilson (OH)
Miller, George	Schauer	Woolsey
Mollohan	Schiff	Wu
Moore (KS)	Schrader	Yarmuth
Moore (WI)	Schwartz	
Moran (VA)	Scott (GA)	

NAYS—180

Aderholt	Diaz-Balart, L.	Lance
Akin	Diaz-Balart, M.	Latham
Arcuri	Dreier	LaTourette
Austria	Duncan	Latta
Bachus	Ehlers	Lee (NY)
Barrett (SC)	Emerson	Lewis (CA)
Bartlett	Fallin	Linder
Barton (TX)	Flake	LoBiondo
Biggart	Fleming	Lucas
Bilbray	Forbes	Luetkemeyer
Bilirakis	Fortenberry	Lummis
Blackburn	Fox	Lungren, Daniel
Blunt	Franks (AZ)	E.
Boehner	Frelinghuysen	Mack
Bonner	Gallagher	Manzullo
Bono Mack	Garrett (NJ)	Marchant
Boozman	Gerlach	McCarthy (CA)
Boustany	Gingrey (GA)	McCauley
Brady (TX)	Gohmert	McClintock
Brown (GA)	Goodlatte	McCotter
Brown (SC)	Granger	McHenry
Brown-Waite,	Graves	McHugh
Ginny	Guthrie	McKeon
Buchanan	Hall (TX)	McMorris
Burgess	Harper	Rodgers
Burton (IN)	Hastings (WA)	Mica
Buyer	Heller	Miller (FL)
Calvert	Hensarling	Miller (MI)
Camp	Hill	Miller, Gary
Campbell	Hoekstra	Minnick
Cao	Hunter	Mitchell
Capito	Inglis	Moran (KS)
Carter	Issa	Murphy, Tim
Cassidy	Jenkins	Myrick
Castle	Johnson (IL)	Neugebauer
Chaffetz	Johnson, Sam	Nunes
Childers	Jones	Olson
Coble	Jordan (OH)	Paul
Coffman (CO)	King (IA)	Paulsen
Cole	King (NY)	Pence
Conaway	Kingston	Perriello
Crenshaw	Kirk	Petri
Culberson	Kline (MN)	Pitts
Davis (KY)	Kosmas	Platts
Deal (GA)	Kratovil	Poe (TX)
Dent	Lamborn	Posey